

AMENDMENT TO H.R. _____**OFFERED BY MR. MARKEY****(Page & line references to Committee Print of April 26, 2004)**

Page 6, line 8, strike “(i) and (j)” and insert “(j) and (k)”.

Page 19, after line 4, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

1 SEC. 206. PRIVACY RIGHTS OF SATELLITE SUBSCRIBERS.

2 Section 338 of the Communications Act of 1934 (47
3 U.S.C. 338) is further amended by inserting after sub-
4 section (h) (as added by section 205) the following new
5 subsection:

6 “(i) EXTENSION OF PRIVACY RIGHTS TO SATELLITE
7 SUBSCRIBERS.—A satellite carrier shall provide to each
8 subscriber to the transmission service of such satellite car-
9 rier the same protections for the privacy rights of such
10 subscriber that a cable operator is required to provide to
11 a subscriber for cable service under section 631. For the
12 purposes of section 631—

13 “(1) a subscriber to the transmission service of
14 a satellite carrier shall have the same rights and



1 remedies under such section with respect to such
2 carrier as a cable subscriber has with respect to a
3 cable operator, and shall be treated as a cable sub-
4 scriber;

5 “(2) such a satellite carrier shall, with respect
6 to such a subscriber, be treated as a cable operator;

7 “(3) the transmissions of such carrier shall,
8 with respect to such a subscriber, be treated as a
9 cable service or other service;

10 “(4) any facilities used by the carrier to collect
11 programming selection or subscription information
12 from such a subscriber shall be treated as part of
13 such carrier’s cable system; and

14 “(5) a governmental entity may obtain the
15 same access to the personally identifiable informa-
16 tion of such a subscriber, subject to the same limita-
17 tions and procedures, as such entity has to such in-
18 formation of a cable subscriber.”.

